

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Honorable Jose L. Linares, U.S.D.J.
Plaintiff, : Criminal No. 06-146
v. :
PRELIMINARY ORDER OF
PARDUMAN SINGH BAINS : FORFEITURE
Defendant. :

WHEREAS, on February 27, 2006, the United States filed a Indictment, Criminal No. 06-146 (JLL), against Parduman Singh Bains, charging him with conspiring to possess and distribute pseudoephedrine knowing that it would be used to manufacture a controlled substance, in violation of Title 21, United States Code, Section 846; and

WHEREAS, on April 18, 2007, Parduman Singh Bains pled guilty to the Indictment; and

WHEREAS, in his plea agreement, Parduman Singh Bains agreed to disclaim any interest in \$250,080 that had been seized from him on January 10, 2006 and to forfeit that sum to the government; and

WHEREAS, on September 25, 2007, as part of the sentencing of Parduman Singh Bains, the Honorable Jose L. Linares, United States District Judge, ordered the forfeiture of the \$250,080 that had been seized from Parduman Singh Bains on January 10, 2006; and

WHEREAS, pursuant to Title 21, United States Code, Section 853, a person convicted of an offense in violation of Title 21, United States Code, Section 846 shall forfeit to the United States any property constituting or derived from any proceeds traceable to the commission of the offense and any property used, or intended to be used to commit or to facilitate the commission of the offense; and

WHEREAS, by virtue of the above, the United States is now entitled to possession of the following property: \$250,080.00 in United States currency (hereinafter "the Property") because it represents proceeds traceable to violations of Title 21, United States Code, Section 846; and

It is hereby **ORDERED, ADJUDGED AND DECREED:**

THAT the herein described Property, namely \$250,080.00 in United States currency, is hereby forfeited to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853; and

THAT pursuant to Title 21, United States Code, Section 853(n)(1), the United States shall publish notice of this Order and of its intent to dispose of the property in such a manner as the Attorney General may direct, including posting notice on the official internet government forfeiture site www.forfeiture.gov for at least 30 consecutive days; and

THAT pursuant to Title 21, United States Code, Section 853(n)(2), any person, other than the defendant, asserting a legal interest in any of the above-

listed forfeited property must file a petition with the Court within **thirty (30)** days of the final publication of notice or of receipt of actual notice, whichever is earlier, and state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property; and

THAT pursuant to Title 21, United States Code, Section 853(n)(3), the petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the property, and any additional facts supporting the petitioner's claim and the relief sought; and

THAT the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified; and

THAT the aforementioned forfeited property is to be held by the appropriate United States agency in its secure custody and control until the appropriate disposition of said Property by the United States; and

THAT upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

ORDERED this 15th day of *August*, 2011.



HONORABLE JOSE L. LINARES
United States District Judge